



George R. Hodges

George R. Hodges
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
Charlotte Division**

In re:

Pacific Avenue, LLC, et al.,¹

Debtors.

CASE NO. 10-32093

CHAPTER 11

Jointly Administered²

**ORDER AUTHORIZING PAYMENT OF PRE-PETITION PAYROLL, PAYROLL
TAXES, EMPLOYEE BENEFITS AND OTHER RELATED EXPENSES**

Upon the motion (the "Motion") filed by Pacific Avenue, LLC ("Pacific Avenue"), and Pacific Avenue II, LLC ("Pacific Avenue II"), debtors and debtors-in-possession in the above-captioned case (the "Debtors"), for entry of an Order, pursuant to Sections 105(a) and 507(a)(4) of the Bankruptcy Code, authorizing the payment of pre-petition payroll, payroll taxes, employee benefits, and other related expenses; and it appearing that the relief requested by this Motion is in the best interests of the Debtors' estates, their creditors, and other parties in interest, and after due deliberation and sufficient cause appearing therefore:

IT IS HEREBY ORDERED that:

- 1) The Motion is GRANTED;

¹ These jointly administered cases are those of the following debtors: Pacific Avenue, LLC and Pacific Avenue II, LLC, Case numbers 10-32093 and 10-32095 respectively.

² Contemporaneously with this Motion, the Debtors have filed a Motion for Joint Administration seeking to jointly administer the Debtors' cases with the case of Pacific Avenue, LLC serving as the lead case.

2) The Debtors are hereby authorized to satisfy the following pre-petition obligations by making payments in the ordinary course of business out of property of the bankruptcy estate:

- a. compensation owed to employees for time worked since the last date of payroll payment before the Petition Date;
- b. premiums and administrative expenses due for health insurance and other miscellaneous benefits provided to employees;
- c. vacation pay, sick leave pay, holiday pay, jury duty pay and other paid leave accrued pre-petition and currently usable by employees;
- d. amounts due to employees for typical and reasonable expenses incurred by employees for work-related travel, lodging and meals; and
- e. liability for federal, state, and local payroll-related taxes, deductions, withholdings, and employer contributions with respect to various benefits and fees due to third-party administrators of those benefits; and

3) The Court shall retain jurisdiction with respect to all matters relating to the interpretation or implementation of this Order.

This Order has been signed electronically. The Judge's signature and Court's seal appear at the top of the Order.

United States Bankruptcy Court